IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 3746 OF 2007

M/s.Gulshan Hotels Pvt.Ltd. & Anr. ...Petitioners
V/s.
The State of Maharashtra & Ors. ...Respondents

Mr.M.J. Jamdar for the Petitioners.
Mr.S.S. Bhende, AGP for State.

CORAM : D.K. DESHMUKH &
V.M. KANADE, JJ.

DATED : NOVEMBER 28, 2007

P.C. :-

1. The petitioners by this petition are challenging the Award dated 27th June, 2005 made by the Special Land Acquisition Officer, Special Unit No.1, Pimpri, Pune.

2. Apart from the fact that the petitioner has delivered possession of the land, the petition challenging the Award dated 27th June, 2005 is filed in the month of March 2007. The only explanation given for the latches in filing the petition is that the petitioner came to know that the Award is contrary to Section 11A of the Land Acquisition Act when he started preparing the matter before the Reference Court. The petitioner has stated that he received a certified copy

of the Award on 4th August, 2005 and he filed a Reference on 8th August, 2005. Obviously, before making Reference, he must have read the Award. If he has read the Award, he must have come to know that Award is contrary to Section 11A in August 2005. Explanation that is given for the latches is devoid of substance. Because of the unexplained delay, petition cannot be entertained.

. Writ Petition is dismissed.

(D.K. DESHMUKH, J.)

(V.M. KANADE, J.)